

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF TENNESSEE**  
**AT KNOXVILLE**

<b>MARC EMMERICK,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 3:07-cv-470</b>
	)	<b>(Phillips)</b>
<b>S&amp;K FAMOUS BRANDS, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**JUDGMENT ON DECISION BY THE COURT**

The case came before the court on defendant's motion to dismiss. The Honorable Thomas W. Phillips, United States District Judge, having rendered a decision on the defendant's motion,

**IT IS ORDERED AND ADJUDGED** that the defendant's motion to dismiss [Doc. 4] is **GRANTED**, whereby this action is **DISMISSED WITH PREJUDICE** on the merits.

**IT IS SO ORDERED.**

**ENTER:**

          s/ Patricia L. McNutt            
Clerk of Court